

ENTERED

September 26, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. 2:14-CR-476
	§	
JUAN PABLO RIOS-GONZALEZ	§	

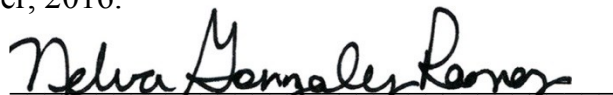
ORDER

Pending before the Court is Defendant/Movant Juan Pablo Rios-Gonzalez's letter motion requesting appointed counsel to assist him in obtaining relief under *Johnson v. United States*, 135 S.Ct 2551 (2015). D.E. 22.

The relief Movant seeks is available, if at all, in a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. There is no constitutional right to appointed counsel for § 2255 motions. *United States v. Vasquez*, 7 F.3d 81, 83 (5th Cir. 1993). The right to appointed counsel extends through a criminal defendant's direct appeal and no further. *Pennsylvania v. Finley*, 481 U.S. 551, 554 (1987) ("We have never held that prisoners have a constitutional right to counsel when mounting collateral attacks upon their convictions . . . and we decline to so hold today. Our cases establish that the right to appointed counsel extends to the first appeal of right, and no further.").

Because Movant has no constitutional or statutory right to counsel for his post-conviction motion, his motion to appoint counsel (D.E. 22) is **DENIED**.

ORDERED this 26th day of September, 2016.


NEELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE